

CHAPTER 137.

MANNER OF FILLING VACANCIES IN CERTAIN TOWNSHIP OFFICES.

AN ACT to prescribe the mode of filling vacancies in the office of Justice of the Peace, Constable, and members of the Board of Supervisors.

Vacancies—
Clerk Board
Supervisors
notify Town-
ship Clerk.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That whenever a vacancy occurs or exists in the office of Justice of the Peace, Constable, or member of the Board of Supervisors, in any of the townships of any of the counties of this State, by resignation or otherwise, it shall be the duty of the Clerk of the Board of Supervisors, immediately after receiving information of such vacancy in any of the townships of his county, whenever such vacancy occurs more than thirty days prior to any general election, to notify the Township Clerk of the township in which such vacancy exists, by mail or otherwise.

Township
Clerk to noti-
fy Trustees
of same.

SEC. 2. And it shall be the duty of the Township Clerk, within five days after receiving such notice, to notify each of the Trustees of his township in writing of such vacancy, specifying the office or offices that has become vacant in his township, fixing the time and place that they shall meet for the purpose of filling such vacancy by appointment, which place of meeting shall be the usual place of holding township meetings. Such notice may be served by any Constable of the township, and shall be served at least five days prior to such meeting.

Fix time and
place of meet-
ing.
Notice, how
served.

Duty of Trus-
tees.

SEC. 3. And it shall be the duty of the Trustees to meet in accordance with the provisions of such notice, and proceed to fill such vacancy or vacancies by appointment in writing of a competent person, who shall hold his office to which he has been appointed until the next general election, and until his successor is elected and qualified; and the person so appointed shall qualify in the same manner, and be liable to the same penalties as persons who are duly elected to fill such offices, and all the provisions of law in relation to qualification for office, shall apply to persons so appointed.

Persons ap-
pointed, how
long hold
office.
How qualify.

Liable same
as if elected.

Township
Clerk, duties
of.

SEC. 4. Within five days after an appointment has been made under the provisions of this Act, it shall be the duty of the Township Clerk to record such appointment in the township record book, and to cause a notice

to be served upon the person so appointed, informing him of his appointment to fill the office to which he was appointed, stating the time, place, and by whom such appointment was made. Such notice may be served by any Constable in the township, in the manner prescribed by law for the service of notices.

SEC. 5. And it shall be the duty of any person appointed under the provisions of this Act, and so notified, to qualify within ten days after such notice has been served upon him in accordance with the rules and regulations of the law now in force, except that the Clerk of the Board of Supervisors may approve of the bond of a Justice of the Peace and Constable appointed, by the recommendation of the sufficiency of the sureties upon such bond, signed by the member of the Board of Supervisors of such township.

SEC. 6. All Acts and parts of Acts in conflict with the provisions of this Act, are hereby repealed.

Approved April 3d, 1866.

CHAPTER 138.

MANNER OF INFORMING GOVERNOR OF VACANCIES IN THE GENERAL ASSEMBLY.

AN ACT to amend an Act entitled Vacancies and Special Elections.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Chapter 42, Section 672, of the Revision of 1860, be and is hereby amended by the addition of the following clause: "Whenever a vacancy shall occur in the office of a Senator or Representative in the General Assembly, it shall be the duty of the Clerk of the Board of Supervisors of the county in which such vacancy may occur to notify the Governor of the State of the fact, and the cause of such vacancy; and if more than one county is represented in the district in which such vacancy may occur, then such notice shall be given by the Clerk of the Board of Supervisors of the county in which the late member resided."

Section 672,
Chapter 42,
amended.

Vacancy—
how filled.

Who give
notice.

Approved April 3d, 1866.